

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:22-cv-00211-FDW

MARTIN EVANS,

Plaintiff,

v.

KILOLO KIJAKAZI, Acting Commissioner
of Social Security,

Defendant.

ORDER

THIS MATTER is before the Court on Plaintiff's Complaint and Defendant's Motion for Remand to the Commissioner for further administrative proceedings. The Commissioner wishes to conduct further fact finding to consider the period on or after the cessation date, including a new administrative hearing before a different administrative law judge.

The Court finds good cause has been alleged for remand and that further administrative fact-finding is warranted. Accordingly, pursuant to sentence four of 42 U.S.C. § 405(g), the Court hereby REMANDS the case to the Commissioner for further administrative proceedings, including a new hearing before a different administrative law judge. See Shalala v. Schaefer, 509 U.S. 292 (1993); Melkonyan v. Sullivan, 501 U.S. 89 (1991).

The Clerk of Court is directed to enter a separate judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

IT IS SO ORDERED.

Signed: November 28, 2022



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Frank D. Whitney
United States District Judge

